

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ISO-00 AF-08 ARA-06 EA-07 EUR-12
NEA-10 ACDA-07 CIAE-00 DODE-00 PM-04 INR-07
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E.O. 11652: N/A
TAGS: TTSPA, UN, AORG
SUBJECT: OUTER SPACE LEGAL SUBCOMMITTEE: WORKING GROUP III
ON REMOTE SENSING - MARCH 23, 1977

1. SUMMARY: WORKING GROUP III CONSIDERED AND ADOPTED TEXTS
OF TWO PRINCIPLES - 1) ON QUESTION OF DETRIMENTAL USE OF
REMOTE SENSING; 2) ON AVAILABILITY OF TECHNICAL INFORMATION.
CANADIAN TEXT OF REVIEW PROVISION INTRODUCED, BUT NOT
DISCUSSED. END SUMMARY.

2. WORKING GROUP III MET A.M. AND P.M. SESSIONS. EXTENSIVE
DISCUSSION OF COMMON ELEMENT IN PARA. 7(C) OCCURRED. FIVE
ALTERNATE DRAFT PRINCIPLES WERE CONSIDERED. USSR, ARGENTINA,
BRAZIL WERE PRIMARY PROPONENTS OF A PRINCIPLE IN SOME FORM
LIMITING STATES FROM USING DATA OR INFORMATION DERIVED
THEREFROM TO DETRIMENT OF OTHER STATES. U.S. RESISTED USE
OF "DETRIMENT" ON FOLLOWING GROUNDS:

--THIS PRINCIPLE DOES NOT RELATE TO ACTIVITIES IN SPACE.

--NO KNOWN DETRIMENT HAS OCCURRED OR CAN REASONABLY BE
PREDICTED.

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--WORD AND CONCEPT ARE EXTREMELY VAGUE.
--NO DELEGATION PRESENT COULD DEFINE THE MEANING OR
SENSE OF THE TERM IN PROPOSED DRAFTS.
--NO STATE COULD PROVIDE ASSURANCE BEING ASKED FOR
--NO OBJECTIVE STANDARD OR MEASURE OF DETRIMENT COULD BE
IDENTIFIED.
--POSITIVE APPROACH TO ENCOURAGE CONSTRUCTIVE USE AND

BENEFITS SHOULD BE USED RATHER THAN FORMING ON NEGATIVE ELEMENT OF UNDEFINED DETRIMENT.

--US COULD NOT AGREE TO ENSHRINE THE CONCEPT OF DETRIMENT IN A PRINCIPLE OF THIS KIND.

--PRINCIPLES SHOULD ENCOURAGE COOPERATION FOR BENEFIT OF STATES.

3. DISCUSSION EVOLVED INTO CONSIDERATION OF ACTIVITIES TO BE CONDUCTED IN COMPLIANCE WITH INTERNATIONAL LAW. NIGERIA OFFERED HELPFUL DRAFT, POSITIVE IN APPROACH, BUT WITHOUT REFERENCE TO DETRIMENT. NO ONE BUT US SUPPORTED; OTHERS REVERTED TO NEED TO PROSCRIBE HARMFUL ACTIONS TO DETRIMENT OF STATES. USSR OFFERED THIRD REVISION OF A PRINCIPLE ON SUBJECT, BUT RETAINING WORD "DETRIMENT". US INDICATED THIS DRAFT MUCH BETTER BUT FATALLY DEFECTIVE IN USE OF WORD "DETRIMENT." DISCUSSION CONCLUDED WITH ADOPTION AT WG LEVEL OF FOLLOWING TEXT: QUOTE: TAKING INTO ACCOUNT THE PRINCIPLES I AND II ABOVE, REMOTE SENSING DATA OR INFORMATION DERIVED THEREFROM (BEGIN BRACKET) SHALL (END BRACKET) (BEGIN BRACKET) SHOULD (END BRACKET) (BEGIN BRACKET) NOT (END BRACKET) BE USED BY STATES (BEGIN BRACKET) TO THE DETRIMENT OF (END BRACKET) (BEGIN BRACKET) IN A MANNER COMPATIBLE WITH (END BRACKET) THE LEGITIMATE RIGHTS AND INTERESTS OF OTHER STATES. END QUOTE. USSR DEL WAS INTRANSIGENT WHEN REQUESTED BY US AND CHAIR TO ALLOW THIS ITEM TO BE PASSED OVER TO PERMIT FURTHER INFORMAL CONSIDERATION. US DEL RESERVED ON ENTIRE QUESTION OF UTILITY AND PROPRIETY OF SUCH A PRINCIPLE. THERE WAS NO SUPPORT LIMITED OFFICIAL USE

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FOR US POSITION FROM ANY DELEGATION.

4. NIGERIA INTRODUCED PROPOSED LANGUAGE ON SEPARATE PRINCIPLE FAVORING ACCESS TO TECHNICAL INFORMATION BY UN AND DEVELOPING COUNTRIES CONCERNING OPERATIONAL SYSTEMS. USSR RESISTED ACCEPTING ANY REQUIREMENT TO DISSEMINATE TECHNICAL INFORMATION AS A MATTER OF PRINCIPLE AND ESPECIALLY RESISTED MAKING AVAILABLE INFORMATION FOR PURPOSES OF DISSEMINATION. US OFFERED DRAFTING REVISIONS AND SUPPORTED CONCEPT. UK WAS HELPFUL. FRANCE MADE ONE PROPOSAL, NOT ACCEPTED. RESULTING LANGUAGE ADOPTED BY WORKING GROUP READS: QUOTE: STATES PARTICIPATING IN REMOTE SENSING OF (BEGIN BRACKET) THE NATIONAL RESOURCES OF THE EARTH (END BRACKET) (BEGIN BRACKET) AND ITS ENVIRONMENT (END BRACKET), EITHER DIRECTLY OR THROUGH RELEVANT INTERNATIONAL ORGANIZATIONS (BEGIN BRACKET) SHALL (END BRACKET) (BEGIN BRACKET) SHOULD (END BRACKET) BE PREPARED TO MAKE AVAILABLE TO THE UN AND OTHER INTERESTED STATES, PARTICULARLY THE DEVELOPING COUNTRIES, UPON REQUEST, ANY

RELEVANT TECHNICAL INFORMATION INVOLVING POSSIBLE OPERATIONAL
SYSTEMS WHICH THEY ARE FREE TO DISCLOSE. END QUOTE.

5. CANADA INTRODUCED, BUT THERE WAS NO DISCUSSION OF
THE FOLLOWING TEXT: QUOTE: TEN YEARS AFTER THE ADOPTION
OF THESE PRINCIPLES, THE QUESTION OF THE REVIEW OF
SUCH PRINCIPLES SHALL BE INCLUDED IN THE PROVISIONAL
AGENDA OF THE UNITED NATIONS GENERAL ASSEMBLY IN
ORDER TO CONSIDER, IN THE LIGHT OF PAST APPLICATION OF THE
PRINCIPLES, WHETHER THEY REQUIRE REVISION. END QUOTE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
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Control Number: n/a
Copy: SINGLE
Sent Date: 24-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Litigation History:
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Original Previous Classification: n/a
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